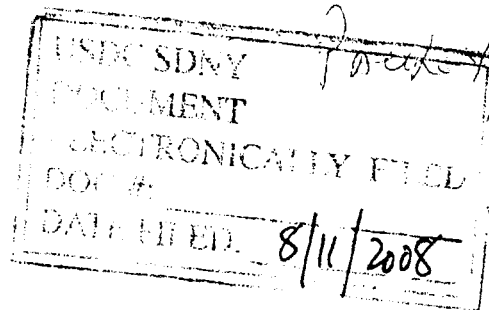


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JOHN L. CRUISE, JR., BRIAN CONRAD,
MATTHEW A. EIRICH, MICHAEL KOLOGY,
PETER J. KROL, EDGAR VELLOTTI,

Plaintiffs,

-against-

MICHAEL F. DOYLE, as General Chairman, LOCAL
DIVISION 9, LOCOMOTIVE ENGINEERS,
ASSOCIATION OF COMMUTER RAIL EMPLOYEES,
LOCAL DIVISION 9, LOCOMOTIVE ENGINEER
ASSOCIATION OF COMMUTER RAIL EMPLOYEES
And MTA METRO-NORTH RAILROAD,

Defendants.

07-CV-3696 (WHP)

3740

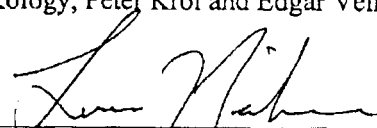
**STIPULATION AND
ORDER OF DISMISSAL
WITH PREJUDICE**

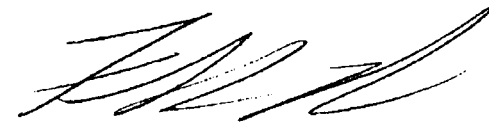
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned,
pursuant to Fed. R. Civ. P. 41(a), that this action is dismissed with prejudice as to plaintiffs
JOHN L. CRUISE, JR., BRIAN CONRAD, MATTHEW A. EIRICH, MICHAEL KOLOGY,
PETER J. KROL, and EDGAR VELLOTTI, with all parties to bear their own costs,
disbursements and attorneys' fees.

Dated: July 23, 2008
New York, New York


Lewis, Clifton & Nikolaidis, P.C.
Attorneys for Plaintiffs John Cruise,
Brian Conrad, Matthew Eirich, Michael
Kology, Peter Krol and Edgar Vellotti

Defendant MTA Metro-North Railroad


Louie Nikolaidis, Esq. (LN5979)
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New York, New York 10001
(212) 419-1500


Frank Rinaldi, Esq.
347 Madison Avenue
New York, New York 10017-3739
(212) 340-2027

*the Clerk of Court is directed to
mark this case closed.*
SO ORDERED:


WILLIAM H. PAULEY III U.S.B.J.

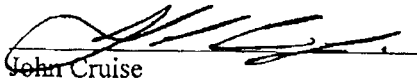
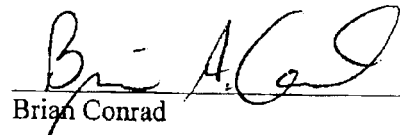
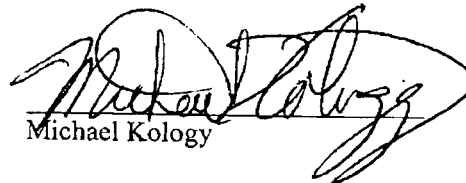
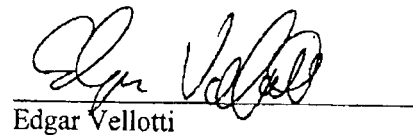
8/8/2008

Holm & O'Hara LLP
Attorneys for Defendants Association of
Commuter Rail Employees, Local
Division 9 ("ACRE"), and Michael Doyle
As Chairman of ACRE




Vincent O'Hara, Esq.
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(212) 682-2280

Agreed:


John Cruise
Brian Conrad
Matthew A. Eirich
Michael Kology
Peter Krol
Edgar Vellotti

SO ORDERED:



William H. Pauley, III U.S.D.J.